



DT17 Res'd Pmt 13 DEC 2002 CT #4

PATENT  
Attorney Docket No. 440466/PALL  
Client Reference No.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BENSCH et al.

Application No. ~~10/088,715~~ 10/088,175

Art Unit: Unassigned

Examiner: Unassigned

Filed: March 15, 2002

For: METHODS AND SYSTEMS FOR  
COUNTING PARTICLES AND SENSING  
WATER

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir

Applicants hereby respond to the Notification of Missing Requirements dated June 14, 2002.

The items checked below are appropriate:

#### 1. Status of Applicant

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

#### 2. Documents Submitted Herewith

- a. ☒ Executed Declaration of inventor(s)
- b. ☒ Nucleotide and/or Amino Acid Sequence Submission:
  - i. ☐ Computer Readable Form (CRF)
  - ii. Specification Sequence Listing on:
    - (1) ☐ CD-ROM or CD-R (2 copies); or
    - (2) ☐ Paper Copy
  - iii. ☐ Statement verifying identity of above copies
- c. ☐ Verified English translation of application
- d. ☒ Copy of the Notification of Missing Requirements
- e. ☐ Substitute Drawings
- f. ☒ Other: Unsigned Declaration for clarity

3. Fees

**Application Filing Fee**

| APPLICATION FEES                                                    |              |              |           |           |
|---------------------------------------------------------------------|--------------|--------------|-----------|-----------|
| BASIC FEE                                                           |              |              |           | \$ 740.00 |
| CLAIMS                                                              | NUMBER FILED | NUMBER EXTRA | RATE      |           |
| Total Claims                                                        | -20=         |              | x \$18.00 | \$        |
| Independent Claims                                                  | - 3=         |              | x \$84.00 | \$        |
| <input type="checkbox"/> Multiple Dependent Claims(s) if applicable |              |              | +\$280.00 | \$        |
| Total of above calculations =                                       |              |              |           | \$        |
| Reduction by 50% for filing by small entity =                       |              |              |           | \$( )     |
| Fee Due =                                                           |              |              |           | \$0.00    |

**Late Filing of Oath or Declaration**

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for ☒ other than a small entity or ☐ a small entity.

**Fee Due** \$130.00

**Submitting a Translation of the Specification**

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

**Extension of Time**

☒ Applicants petition for a four-month extension of time under 37 CFR 1.136, the fee for which is \$1,440.00.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**Fee Due** \$1,440.00

4. **Total Fee Due**

The total fee due is:

|                                      |            |
|--------------------------------------|------------|
| Application Filing Fee               | \$         |
| Late Filing of Declaration Surcharge | \$130.00   |
| Non-English Specification Surcharge  | \$ 0.00    |
| Extension of Time Fee                | \$1,440.00 |

**Total Fee Due: \$1,570.00**

In re Appln. of BENSCH et al.  
Application No. 10/088,715

**5. Fee Payment**

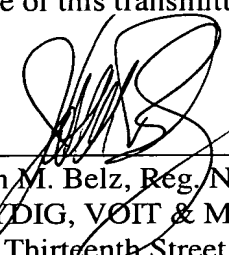
☐  
☒

Attached is a check in the sum of \$  
Charge Account No. 12-1216 the sum of \$1,570.00. A duplicate of this  
transmittal is attached.

**6. Fee Deficiency**

☒

If any additional fee is required in connection with this communication, charge  
Account No. 12-1216. A duplicate of this transmittal is attached.

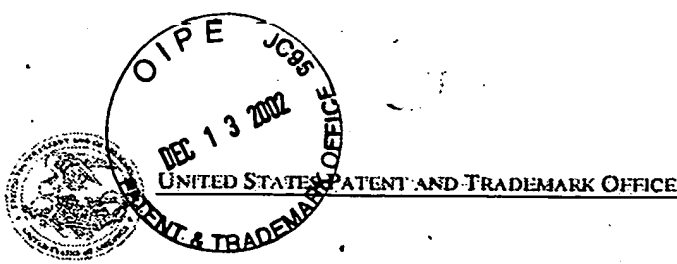
  
\_\_\_\_\_  
John M. Belz, Reg. No. 30,359  
LEYDIG, VOIT & MAYER  
700 Thirteenth Street, N.W., Suite 300  
Washington, DC 20005-3960  
(202) 737-6770 (telephone)  
(202) 737-6776 (facsimile)

Date: 13 Dec 2002

Missing Parts Response (Revised 9/10/02)

02/13/2003 BCAMPBEL 00000043 121216 10008715  
01 FC:1617 130.00 CH  
02 FC:1254 1440.00 CH

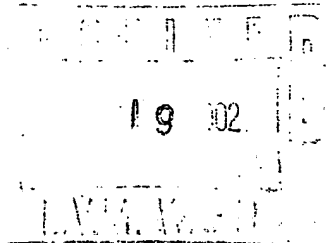
Adjustment date: 02/13/2003 BCAMPBEL  
12/18/2002 GFREY1 00000043 121216 10008715  
01 FC:1617 130.00 CR  
02 FC:1254 1440.00 CR



Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/088,175                  | Leonard E Bensch      | 440566/PALL      |

23548  
LEYDIG VOIT & MAYER, LTD  
700 THIRTEENTH ST. NW  
SUITE 300  
WASHINGTON, DC 20005-3960



|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/US00/25092                |               |
| LA. FILING DATE               | PRIORITY DATE |
| 09/14/2000                    | 09/17/1999    |

CONFIRMATION NO. 8864  
371 FORMALITIES LETTER  
  
\*OC000000008288931\*

Date Mailed: 06/14/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

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SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY:

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/088,175                  | PCT/US00/25092                | 440566/PALL      |

FORM PCT/DO/EO/905 (371 Formalities Notice)